

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

SARAH CRABTREE, et al.,)	
)	
Plaintiffs,)	NO. 3:08-0939
)	JUDGE HAYNES
v)	
)	
DAVE GOEIZ, et al.,)	
)	
Defendants.)	

ORDER

In accordance with the Memorandum filed herewith, the Plaintiffs' motion for a preliminary injunction (Docket Entry No. 2) is **GRANTED**. Accordingly, pending further Order of the Court, it is **ORDERED** that


(1) the Defendants shall refrain from imposing the cuts in Home Health and Private Duty Nurse upon the Plaintiffs until the community-based, patient centered system authorized by the State's Long-Term Care Community Choices Act is implemented and available to Plaintiffs;

(2) the Defendants shall conduct individualized assessments of the Plaintiffs to determine the specific needs of each Plaintiff, including the amount of time required to meet those needs, and the extent to which family or other natural supports are available, and whether the needs could be satisfied in the community at less cost than Defendants are presently paying; and

(3) the Defendants shall determine whether nursing homes will in fact provide the services each Plaintiff requires.

It is so **ORDERED**.

Entered this the 18th day of December, 2008.


WILLIAM J. HAYNES, JR.
United States District Judge